

**OFFICIAL**PATENT  
ATTORNEY DOCKET NO. 00537-168002-018B**RECEIVED**  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## CERTIFICATE OF TRANSMISSION

MAR 18 2004

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Date of Deposit: 3/18/2004

Signature

Dawn M. Janelle

Printed name of person mailing correspondence

Applicant: Katy Drieu

Art Unit: 1614

Serial No.: 09/879,306

Examiner: JARVIS, WILLIAM R. A.

Filed: June 12, 2001

Title: GINKGOLIDES FOR INHIBITION OF MEMBRANE EXPRESSION OF  
BENZODIAZEPINE RECEPTORS**1<sup>st</sup> SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND  
AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

☒ under 37 CFR 1.97(b), or  
(Whichever occurs last of the following: within three months of filing national application; within three months of date of entry of the national stage in an international application; before the mailing date of first office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination)

☐ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☐ the fee set forth in 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ the fee set forth in 37 CFR 1.17(p).

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Enclosed herewith is:

☒ form PTO-1449 REPRODUCED, with copies of the non-patent references noted thereon.

☐ Applicant requests that the attached IDS and cited reference(s) [ ] be placed in the application filewrapper.  
(Filed after payment of issue fee)

☒ Some of the listed references were cited in Search Reports in counterpart European and Hungarian applications. Enclosed is a copy of the Hungarian Search Report and the first page of the published Hungarian application and Inpadoc Search Report.

- ☒ Copies of some of the reference(s) noted on the enclosed form PTO 1449 REPRODUCED were previously cited by or submitted to the Patent and Trademark Office in connection with U.S. Application Serial No. 08/575,902, filed December 20, 1995, from which the present application claims benefit under 35 U.S.C. § 120 (37 C.F.R. 1.98(d)).

Concise Explanation Requirement (non-English references):

- ☒ The "concise explanation" requirement for HU P9601295 A [reference BC] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
  - ☐ the explanation provided in the Specification.
  - ☐ submission of the enclosed International Search Report.
  - ☒ U.S. Patent No. 5,541,183 issued July 30, 1996 [reference BA].

It is requested that the information disclosed herein be made of record in this application, and that the references listed on the enclosed form PTO-1449 REPRODUCED appear under the "References Cited" heading of any Patent which issues from this application, (MPEP 1302.12).

Statement Under 37 CFR 1.97(e):

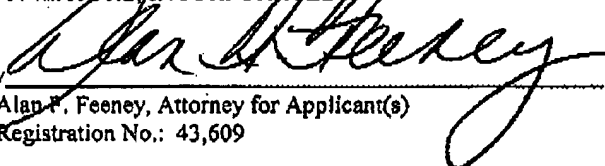
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply.
- ☒ No fee is believed to be due for this submission. However Applicant(s) hereby authorize the Commissioner to charge any fees that may be deemed to be due or to credit any overpayment to Deposit Account No. 50-0590. Two copies of this Statement are enclosed.
- ☒ The Commissioner is hereby authorized to charge any deficiency in fees and credit any overpayment to Deposit Account 50-0590. Two copies of this Statement are enclosed.

Respectfully submitted,

BIOMEASURE INCORPORATED

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PTO-1449 REPRODUCED		ATTORNEY DOCKET NO. 00537/168002		APPLICATION NO. 09/879,306			
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  (Use several sheets if necessary) Sheet 1 of 1		APPLICANT Katy Drieu					
		FILING DATE June 12, 2001		GROUP/EXAMINER 1614 / JARVIS			
<b>U.S. PATENT DOCUMENTS</b>							
EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	BA	5,541,183	7/30/96	Park et al.			
	BB	4,734,280	3/29/88	Braquet			
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YEE NO
	BC	HU P9601295 A		Hungary			X
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	BD	Boralle, N. et al., " Ginkgo Biloba: A Review of its Chemical Composition", Ginkgolides-Chemistry, Biology, Pharmacology and Clinical Perspectives, Edited by P. Braquet, Ph.D., D.Sc., J.R. Prous Science Publishers, S.A., Les Plessis Robinson, France, 1:9-25 (1988).					
	BE	Krieglstein, J., "Neuroprotective Properties of Ginkgo Biloba - Constituents", Z. Phytother, 15(2):92-96 (1994).					
EXAMINER				DATE CONSIDERED			